

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION  
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT  
SECURITIES LLC,

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the  
Substantively Consolidated SIPA Liquidation of  
Bernard L. Madoff Investment Securities LLC  
and the Chapter 7 Estate of Bernard L. Madoff,

Plaintiff,

v.

ABN AMRO NOMINEES (ISLE OF MAN)  
LIMITED, f/k/a ABN AMRO Fund Services (Isle  
of Man) Nominees, and f/k/a Fortis (Isle of Man)  
Nominees Limited, and PLATINUM ALL  
WEATHER FUND LIMITED.

Defendants.

Adv. Pro. No. 08-01789 (CGM)

SIPA Liquidation

(Substantively Consolidated)

Adv. Pro. No. 12-01697 (CGM)

**ORDER DENYING DEFENDANT PLATINUM ALL WEATHER FUND LIMITED'S  
MOTION TO DISMISS COMPLAINT**

Platinum All Weather Fund Limited ("Defendant") filed a motion to dismiss the Amended Complaint (the "Complaint") under Bankruptcy Rule 7012(b) and Federal Rules of Civil

Procedure 12(b)(2) and 12(b)(6) (the “Motion”) on January 12, 2023. The parties stipulated to rest on their papers and waive oral argument on the Motion on May 9, 2023. The Court has considered the Motion, the papers filed in support of and in opposition to the Motion, and the Complaint, and the Court has issued a memorandum decision, dated May 17, 2023, regarding the Motion (the “Decision”). Based on the record in this adversary proceeding, including the Decision, **IT IS ORDERED:**

1. The Motion to dismiss the Complaint is denied.
2. The deadline for Defendant to file an answer to the Complaint shall be 60 days from this Court’s issuance of a decision on the motion to dismiss filed by Defendant’s co-defendant ABN AMRO Nominees (Isle of Man) Limited, f/k/a ABN AMRO Fund Services (Isle of Man) Nominees, and f/k/a Fortis (Isle of Man) Nominees Limited.
3. The Court shall retain jurisdiction to implement or enforce this Order.

**Dated: May 31, 2023**  
**Poughkeepsie, New York**



/s/ **Cecelia G. Morris**

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**Hon. Cecelia G. Morris**  
**U.S. Bankruptcy Judge**